

✓ Seibel, J. @

JAN-7-2009 16:40 FROM:SUSAN SAVITT

914-478-4934

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**SAMUEL & STEIN**

David Stein (DS 2119)  
Michael Samuel (MS 7997)  
38 West 32<sup>nd</sup> Street  
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**BERGER & ASSOCIATES**

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Attorneys for Plaintiff  
Freddie Perez Jr.

Freddie Perez Jr.,

Plaintiff,

-- vs. --

Zip Aviation, LLC and Itai  
Shoshani,

Defendants.

INDEX NO. 08-CV-8134 (CS)

**STIPULATION OF DISCONTINUANCE  
WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned that, pursuant to the terms of the Settlement Agreement, the following action be discontinued with prejudice. Each party shall bear its own costs in this action.

JAN-7-2009 16:40 FROM:SUSAN SAVITT

914-478-4934

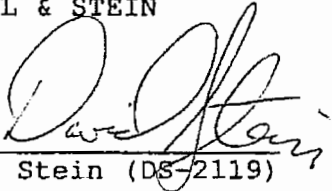
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Dated: New York, New York  
December 7, 2008 <sup>9</sup>  
~~JANUARY~~

SAMUEL & STEIN


THE SCHENKEL-SAVITT FIRM

By:   
David Stein (DS-2119)

By:   
Susan Savitt ( SS 0417 )

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✓ So Ordered:   
U.S.D.J.  
Hon. Cathy Seibel, USDI

✓ Dated: 1/14/09  
White Plains, New York